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~~KEYHOLE//NOFORN//X1~~
SECURITY CLASSIFICATION

NSA STAFF PROCESSING FORM

TO	EXREG CONTROL NUMBER	KCC CONTROL NUMBER
DIRECTOR	83614	IG-10054-02

THRU	ACTION	EXREG SUSPENSE
D/DIR, D SECRETARIAT	☐ APPROVAL	
SUBJECT: Quarterly Report to the Intelligence Oversight Board on NSA Activities—Third Quarter FY02 (U//~~FOUO~~)	☒ SIGNATURE	KCC SUSPENSE
	☐ INFORMATION	ELEMENT SUSPENSE

DISTRIBUTION

SUMMARY

PURPOSE: (U//~~FOUO~~) To forward to the Intelligence Oversight Board (IOB) of the President's Foreign Intelligence Advisory Board, via the Assistant to the Secretary of Defense for Intelligence Oversight (ATSD(IO)), NSA's quarterly report on its intelligence activities.

BACKGROUND: (U//~~FOUO~~) Executive Order 12333 and Executive Order 12863 require Intelligence Community agency heads and Intelligence Community General Counsels and Inspectors General, respectively, to report to the IOB on a quarterly basis concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive. The enclosed memorandum covers all reportable activities known to the Inspector General and General Counsel. Per PIOB letter of 6 August 1982, Agency heads are responsible for reporting separately any additional reportable activities known to them, unless the President has specifically instructed that the Board is not to be informed. The Director's signature signifies that no other activities that require reporting are known to him.

RECOMMENDATION: (U//~~FOUO~~) Director sign the enclosed memorandum.

Approved for Release by NSA on 12-19-2014, FOIA Case # 70809 (Litigation)

(b)(3)-P.L. 86-36

DECLASSIFY UPON REMOVAL OF THE ENCLOSURE(S)

COORDINATION/APPROVAL

OFFICE	NAME AND DATE	SECURE PHONE	OFFICE	NAME AND DATE	SECURE PHONE
			D/DIR		
GC	Robert Deitz	5548s			
AGC(O)		3121s			
IG	Joel F. Brenner	3544s			
DOS	Debbie 8/23, 1236	3201			

	ORG.	PHONE (Secure)	DATE PREPARED
	D11	963-3544	21 August 2002

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DERIVED FROM: NSA/CSSM 123-2
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SECRET // REL TO USA, AUS, CAN, GBR, and NZL // X1

Posted on: June 11, 2002

(U) Commendation from Ambassador

Distribution: Director's Message to the Work Force

POC: Michael V. Hayden [talk_dirnsa@nsa]

(U) I would like to pass along the kudos that I have received from the US Ambassador

(b)(3)-P.L. 86-36

MICHAEL V. HAYDEN
Lieutenant General, USAF
Director

---------- Begin Forwarded Message ----------

S E C R E T

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

DRV FM: NSA/CSS Manual 123-2
Dated: 24 Feb 98
DECL ON: X1

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NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

27 August 2002

MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

THRU: Assistant to the Secretary of Defense (Intelligence Oversight)

SUBJECT: (U//~~FOUO~~) Report to the Intelligence Oversight Board on NSA Activities - INFORMATION MEMORANDUM

(U//~~FOUO~~) Except as previously reported to you or otherwise stated in the enclosure, we have no reason to believe that any intelligence activities of the National Security Agency during the quarter ending 30 June 2002 were unlawful or contrary to Executive Order or Presidential Directive, and thus required to be reported pursuant to Section 1.7.(d) of Executive Order 12333.

(U//~~FOUO~~) The Inspector General and the General Counsel continue to exercise oversight of Agency activities by means of inspections, surveys, training, review of directives and guidelines, and advice and counsel. These activities and other data requested by the Board or members of the staff of the Assistant to the Secretary of Defense (Intelligence Oversight) are described in the enclosure.

Brian McAndrew
for
JOEL F. BRENNER
Inspector General

ROBERT L. DEITZ
General Counsel

(U//~~FOUO~~) I concur in the report of the Inspector General and the General Counsel and hereby make it our combined report.

Michael V. Hayden
MICHAEL V. HAYDEN
Lieutenant General, USAF
Director, NSA/Chief, CSS

Encl:
a/s

This Memorandum is Unclassified Upon Removal of Enclosure

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DATED: 24 FEB 98
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(b)(1)
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(b)(3)-50 USC 3024(i)

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1. (U) INSPECTOR GENERAL ACTIVITIES

a. (U//~~FOUO~~) During this quarter, the Office of Inspector General (OIG) reviewed various reports of inadvertent violations of the Attorney General (AG) procedures, as well as Department of Defense (DoD) and internal directives, to determine if corrective action was appropriate.

b. ~~(S//TK)~~ A Joint Inspection Team consisting of inspectors from the National Security Agency/Central Security Service (NSA/CSS), [redacted] conducted an inspection of [redacted] The team found that although the [redacted] has a very well documented and managed intelligence oversight (I/O) program, the site needs to establish a formal I/O training program for garrison staff members. The team's findings are being acted upon.

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c. ~~(C//SI)~~ A team from the NSA/CSS OIG conducted an intelligence oversight review of the [redacted] established in the wake of 9/11. The review determined that [redacted] needs to establish formal policies for providing technical assistance to external customers, [redacted] and needs documented standard operating procedures and stronger internal controls for segregating datasets obtained from law enforcement and intelligence agencies or other sources. Recommendations made by the team are being implemented.

d. ~~(TS//SI)~~ An OIG investigation has concluded (see our previous quarterly report dated 9 April 2001) that an NSA/CSS analyst working [redacted] counterintelligence target knowingly and improperly retained FISA-derived [redacted] communications that contained the identity of a U.S. person, in violation of the Foreign Intelligence Surveillance Act (FISA) Minimization Procedures. The analyst has been disciplined by management.

(b)(1)
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(b)(3)-50 USC 3024(i)

2. (U) GENERAL COUNSEL ACTIVITIES

~~(C//SI)~~ The OGC reviewed various intelligence activities of the United States Signals Intelligence System (USSS) to determine whether they were conducted in accordance with applicable statutes, Executive Orders, Attorney General procedures, and DoD and internal directives. The OGC advised Agency elements

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on a number of questions, including the collection and dissemination of communications of or concerning U.S. persons; the reporting of possible violations of federal criminal law contained in SIGINT product; the testing of electronic equipment; and the applicability of the FISA. With few exceptions, the issues presented were routine and indicated that the operating elements understand the restrictions on SIGINT operations. The OGC did not file any reports with the Intelligence Oversight Board during this quarter.

3. (U) SIGINT ACTIVITIES

a. ~~(S//SI)~~ Collection Against U.S. Persons

(1) (U) Intentional

~~(S//SI)~~ During this quarter, the DIRNSA granted approval for consensual collection against [ ] persons; DIRNSA-approved consensual collection against [ ] U.S. persons was routinely terminated this quarter. (b)(1) (b)(3)-P.L. 86-36

~~(S//SI)~~ The Attorney General granted authority to collect the communications of [ ] U.S. persons during this quarter.

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(2) (U) Unintentional

~~(S//SI//NF)~~ This quarter, unintentional retrieval strategies using the [ ] raw traffic files resulted in [ ] incidents against U.S. persons. All incidents were reported to responsible oversight officials and corrective actions were taken.

b. (U//~~FOUO~~) Dissemination of U.S. Identities

(1) (U) Intentional

~~(S//SI)~~ In accordance with section 7 of USSID 18, [ ] U.S. identities were disseminated. The following table shows the justification and the number of instances of dissemination: in the "Unmasked" column, the U.S. identity was revealed in a serialized end product; in the "User Requested" column, a U.S. identity was released to a user at the user's request.

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JUSTIFICATION	Unmasked	User Requested	TOTAL
7.2.c Necessary			
7.2.c.1 Foreign Official			
7.2.c.3 International narcotics			
7.2.c.4 Criminal activity			
7.2.c.7 U.S. Government Official			
TOTAL			

(b)(1)
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(2) (U) Unintentional

~~(S//SI)~~ During the third quarter of 2002, [redacted] SIGINT products were canceled because they contained the identities of U.S. persons, organizations, or entities.

4. (U) OTHER ACTIVITIES

(b)(1)
(b)(3)-P.L. 86-36

(U) Integrees in Analysis and Production

~~(S//SI//NF)~~ During this quarter, [redacted] In all cases, these individuals were provided with USSID 18 training. Organizations having integrees at NSA included [redacted]

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(U) Assistance to Law Enforcement

~~(S//SI//NF)~~ [redacted] provided support to [redacted] during the quarter. This support included [redacted]

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[redacted] Support was also provided to [redacted] to review files for evidence of [redacted]

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(U) Working Aids

~~(S//SI)~~ The Signals Intelligence Directorate issued an update to a manual that is used in conjunction with USSID 18 to aid analysts in dissemination of U.S. identities to intelligence users. The manual, entitled *U.S. IDENTITIES IN SIGINT*, dated April 2002, is enclosed at Tab A. It replaces the March 1994 edition.

(U) Commendation

(b)(3)-P.L. 86-36

~~(S)~~ The Honorable [redacted] the U. S. Ambassador to [redacted] sent a commendation to the Director, NSA/CSS lauding the efforts of NSA/CSS personnel for the role they played in [redacted] The commendation is attached at Tab B.

(b)(1)
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(U) Databases

~~(S//SI)~~ Numerous branches in [redacted] under OGC guidance, that [redacted] to avoid USSID-18 violations. Only information that is essential to understanding the intelligence is included. [redacted] Additionally, many Offices of Primary Interest [redacted] in order to ensure that they are not collected against or named in product.

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